

In the Court of Appeals of the State of Alaska

Jason C. Vukovich,
Appellant,

v.

State of Alaska,
Appellee.

Court of Appeals No. **A-13107**

Order

Request for Review of Clerk's Intention
to Enter Judgment for Costs of
Appointed Attorney

Date of Order: **January 25, 2021**

Trial Court Case No. **3AN-16-05639CR**

The Appellant, Jason Christian Vukovich, appealed his felony sentence to this Court. In *Vukovich v. State*, Alaska App. Summary Disposition No. 0169 (October 23, 2020), this Court affirmed Vukovich's sentence.

Mr. Vukovich was represented by counsel at public expense in this appeal. Under Alaska Appellate Rule 209(b)(5), at the conclusion of any appellate case in which a criminal defendant is represented by court-appointed counsel, the Clerk of the Appellate Courts is directed to "enter judgment against the defendant for the cost of appointed appellate counsel unless the defendant's conviction was reversed by the appellate court." Because Mr. Vukovich was represented by court-appointed counsel in this appeal, because Vukovich's appeal was a felony sentence appeal — and because Mr. Vukovich's conviction was not reversed — the Appellate Court Clerk's Office notified Mr. Vukovich that it intends to enter judgment against him in the amount of \$500 for the cost of counsel. *See* Alaska Appellate Rule 209(b)(6).

Mr. Vukovich now seeks judicial reconsideration of the Appellate Clerk's decision. *See* Alaska Appellate Rule 503(h)(2)(A).

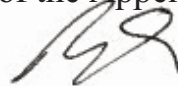
Appellate Rule 209(b)(5) and (6) require criminal defendants whose convictions are not reversed on appeal to reimburse to the government a portion of the cost of the attorneys who represent them at public expense. In his opposition to the entry of judgment for the cost of appellate counsel, Mr. Vukovich asserts that the entry of the judgment represents a financial hardship for himself and his family.

The Court recognizes that an appellant may obtain relief from a judgment upon a showing of financial hardship. But in his opposition to the entry of the judgment, Mr. Vukovich has not made such a showing.

Because this Court did not reverse Mr. Vukovich's conviction in this appeal, Mr. Vukovich is required to reimburse to the government a portion of the cost of the attorney who represented him at public expense. Accordingly, the decision of the Appellate Court Clerk to enter a \$500.00 judgment against Mr. Vukovich for the cost of counsel under Appellate Rule 209(b) is **AFFIRMED**.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

cc: Jason C. Vukovich at Spring Creek Correctional Center
Distribution:

Email:
Barber, Michael L., Public Defender - Contract
Blum, Hazel Claire

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